



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/772,996	02/05/2004	Shiv Kumar	PB0311

Amersham Biosciences Corp  
800 Centennial Avenue  
Piscataway, NJ 08855



CONFIRMATION NO. 5385

## FORMALITIES LETTER



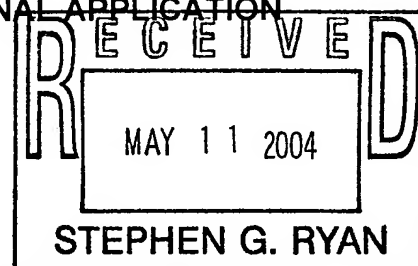
\*OC000000012559219\*

Date Mailed: 05/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

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- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

**COPY**



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/772,996  
Applicant : Shiv Kumar  
Filed : February 5, 2004  
TC/A.U. : 1645  
Examiner : To be assigned

Confirmation No.: 5385

Docket No. : PB0311  
Customer No. : 22840

**RESPONSE TO THE NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

July 30, 2004

Sir:

In connection with the prosecution of the captioned application, and in response to the Notice to File Missing Parts of Nonprovisional Application having a mailing date of May 7, 2004, Applicants submit the following:

With regard to the missing oath or declaration:

- 1) Applicants enclose herewith two (2) duly executed and dated "Declaration and Power of Attorney for Patent Application" forms each having six (6) pages. One form is signed by six (6) of the seven (7) inventors and the second form is signed by the remaining inventor. Applicants believe the forms are executed in accordance with 37 CFR 1.63.

- 2) Applicants submit this response under cover of a “Response to Notice to File Missing Parts of Application Filing Date Granted (PTO-1533)(Large Entity)” wherein Applicants authorize the Commissioner to debit the required \$130.00 surcharge from Applicants’ deposit account.

With regard to the missing “Sequence Listing”:

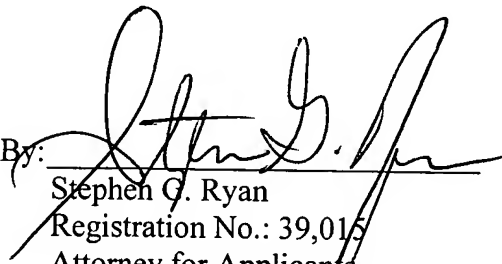
- 1) Applicants enclose herewith an initial computer readable form (CRF) copy of the “Sequence Listing” and an initial paper copy of the sequence listing.
- 2) Required statements:
  - Applicants aver that the sequence listings do not include any new matter.
  - Applicants aver that that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing provided on paper.

Applicants are also submitting, concurrently herewith, a petition to extend the period of response one month from July 7, 2004, to and including August 7, 2004. As required, a copy of the Notice to File Missing Parts of Nonprovisional Application having a mailing date of May 7, 2004, is enclosed herewith. Applicants additionally enclose a First Preliminary Amendment directing the sequence listing into the specification, as required.

Applicants respectfully assert that all amendments are fairly based on the specification and request their entry. Applicants believe they have fully satisfied all outstanding requirements. However, should any issues remain, Applicants invite the Examiner to contact Applicants' undersigned representative.

Respectfully submitted,

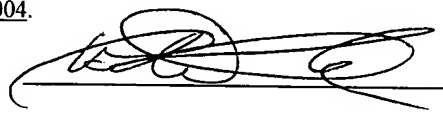
AMERSHAM BIOSCIENCES CORP

By:   
Stephen G. Ryan  
Registration No.: 39,015  
Attorney for Applicants

Amersham Biosciences Corp  
800 Centennial Avenue  
P. O. Box 1327  
Piscataway, New Jersey 08855-1327

Tel: (732) 457-8071  
Fax: (732) 457-8463

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on July 30, 2004.

Signature: 

Name: Melissa Leck

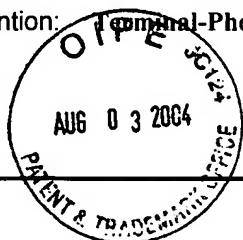
**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**PB0311**

In Re Application Of: **Shiv Kumar**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/772,996	February 5, 2004	to be assigned	22840	1645	5385

Invention: **General-Phosphate-Labeled Nucleotides with New Linkers**



Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
May 7, 2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☒ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

copy of this transmittal letter for charging purposes  
return postcard

Response to Notice to File Missing Parts (3 pages)

Submission of "Sequence Listing" in CRF (one diskette) and written (paper - 2 pages) copy

Required Statements - part of Response to Notice to File Missing Parts (see page 2)

First Preliminary Amendment (3 pages)

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**PB0311**

In Re Application Of: **Shiv Kumar**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/772,996	February 5, 2004	to be assigned	22840	1645	5385

Invention: **Terminal-Phosphate-Labeled Nucleotides with New Linkers**

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application filing fee \_\_\_\_\_

☐ Design application filing fee \_\_\_\_\_

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☐ Fee for processing an application filed with a non-English language specification \_\_\_\_\_

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: July 7, 2004 until: August 7, 2004  
Date Date

Total time extension fees **\$110.00**

Total fees due **\$240.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
**PB0311**

In Re Application Of: **Shiv Kumar**

Application No. <b>10/772,996</b>	Filing Date <b>February 5, 2004</b>	Examiner <b>to be assigned</b>	Customer No. <b>22840</b>	Group Art Unit <b>1645</b>	Confirmation No. <b>5385</b>
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Invention: **Terminal-Phosphate-Labeled Nucleotides with New Linkers**

**TO THE COMMISSIONER FOR PATENTS:**

**Mail Stop Missing Parts**

The fee of **\$240.00** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **502-590**
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **502-590**

  
*Signature*  
**Stephen G. Ryan  
Amersham Biosciences Corp  
800 Centennial Avenue  
Piscataway, New Jersey 08855**

**(732) 457-8071  
Reg. No.: 39,015**

Dated: **July 30, 2004**

I certify that this document and fee is being deposited on **July 30, 2004** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
*Signature of Person Mailing Correspondence*

**Melissa Leck**

*Typed or Printed Name of Person Mailing Correspondence*

CC: